REMARKS/ARGUMENTS

Claims 1-9 are pending in the application and have been amended; reexamination and reconsideration are hereby requested.

1. Claim 5 was rejected as anticipated by Brown. The Examiner cited column 7, lines 25-44 for the claimed gateway.

Applicant replies that Brown column 7, lines 25-44 describes creation of FCCFs (fully caffeinated class files) in a server which are delivered directly to a client without any intervening gateway; see Brown Figs.1,4. More particularly, the front-end compiler should convert java source code (column 7, lines 29-31) into an abstract syntax tree, and the back-end compiler would then generate the standard class file output (column 7, lines 31-32) which would be the directory 502 and binary 504 (bytecodes) of Fig.5; there is no gateway.

"Gateway" is standard telecommunications terminology, and a gateway at minimum connects two networks which have different protocols. Application Fig.3 illustrates this with gateway 37 on wired network 41 with server 31 and connecting to wireless network 43 with client 45. In contrast, a compiler converts source code to machine code (such as to both JVM code plus native code for FCCF in Brown) and has no suggestion of gateways.

2. Claims 1-3 and 6-7 were rejected as unpatentable over Brown in view of Mishra. The Examiner repeated the foregoing analysis of Brown plus added Mishra to show sending only new portions of a file.

Applicant repeats the foregoing argument regarding the failure of Brown to suggest a gateway.

3. Claims 4 and 9 were rejected as unpatentable over Brown in view of Mishra and Arnold. The Examiner added Arnold to show Java classes sent over a wireless network.

Applicant again repeats the foregoing argument regarding the failure of Brown to suggest a gateway.

4. Claim 8 was rejected as unpatentable over Brown in view of Arnold.

Applicant further repeats the foregoing argument regarding the failure of Brown to suggest a gateway.

5. Claims 2 and 7 were objected to as informal.

The amendments correct the informalities as suggested by the Examiner.

6. Claims 5-6 and 8-9 were rejected as not enabled due to the "means for" features.

With regard to claims 5 and 8 ("means for copying"), applicant replies that application page 7, lines 1-3 describes the copying as by the binary class loader; this suffices for one of ordinary skill in the art.

With regard to claims 6 and 9 ("means for determining new portions"), applicant replies that application page 6, line 22-24 notes element 39a of the gateway determines the new portions, and such determination is routine for one of ordinary skill in the art and does not need further details.

7. Claims 1-2 and 5-9 were rejected as indefinite for various reasons.

With regard to claim 1, the amendments remove the indefiniteness.

With regard to claim 2, the amendments remove the indefiniteness.

With regard to claim 5, the amendments plus the foregoing "means for" argument counter the indefiniteness.

With regard to claim 6, the foregoing "means for" argument counters the indefiniteness.

With regard to claim 7, the explanation of "embedded" at application page 2, lines 7-16 counters the indefiniteness.

With regard to claim 8, the amendments plus the explanation of "embedded" at application page 2, lines 7-16 and the foregoing "means for" argument counter the indefiniteness.

With regard to claim 9, the foregoing "means for" argument counters the indefiniteness.

Respectfully submitted,

/Carlton H. Hoel/

Carlton H. Hoel
Reg. No. 29,934
Texas Instruments Incorporated
PO Box 655474, M/S 3999
Dallas, Texas 75265
972.917.4365